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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,444	04/17/2001	Satoshi Kuroyanagi	35.G2788	5469

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NEW YORK, NY 10112

EXAMINER
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PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/835,444

**Applicant(s)**

KUROYANAGI, SATOSHI

**Examiner**

Hassan Phillips

**Art Unit**

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5-9,11,15-19,23,24,27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-9,11,15-19,23,24,27 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to amendments filed on November 18, 2004.

### ***Specification***

2. The Examiner has acknowledged the change to the title of the present application and has therefore withdrawn the objection to the specification.

### ***Claim Rejections - 35 USC § 112***

3. In regards to the cancellation of claim 26, the Examiner has withdrawn the rejection of claim 26 under 35 USC 112, second paragraph.

### ***Response to Arguments***

4. Applicant's arguments filed November 18, 2004 have been fully considered but they are not persuasive. Applicant argued that: the applied art fails to disclose or suggest displaying a first guide on the local user interface, wherein the first guide display is operable by a local user to access data of the address book, and wherein address book changes are denied for a second access when the first guide display is displayed on the local user interface.

In regards to Applicants arguments, the Examiner has expressed that it is the combination of the applied art that disclose such a feature. For instance, besides being

well known in the art at the time of the present invention, the AAPA suggests a display means for displaying a first guide on a local user interface, wherein the first guide display is operable by a local user to access data of an address book, (page 2, lines 4-6), and as acknowledged by the Applicant, Johnson discloses a control means operable by a local user to access data, wherein data changes are denied for a second access when the local user has a write token, (col. 6, lines 24-35). Although the teachings of Johnson are not identical to that of the Applicants, the functionality is the same. A user write token, or a guide display, used to deny access to data, is a field of use limitation and not patentable distinction. Furthermore given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art at the time of the present invention to modify the teachings of the AAPA with Johnson to have a feature of displaying a first guide display on the local user interface, wherein the first guide display is operable by a local user to access data of the address book, and wherein address book changes are denied for a second access when the first guide display is displayed on the local user interface for the same reasons indicated in the previous office action.

Also, the Examiner has interpreted the claim language as broadly as possible. It is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in a manner that distinguishes over the prior art.

Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 5-9, 11, 15-19, 23, 24, 27, 28, are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants Admitted Prior Art (AAPA) in view of Johnson et al. (hereinafter Johnson), U.S. Patent 5,113,519.

7. In considering claims 1, 9, 11, 19, 23, and 24, the AAPA discloses a communication device having an address book storing data of communication destination, the communication device comprising:

- a) First access means for accessing data of the address book in response to operations of a local user interface, and a display means for displaying a first guide on the local user interface, wherein the first guide display is operable by a local user to access data of the address book, (page 2, lines 4-6).

Although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Permitting or denying address book data changing requests from the first access means, or other devices on a network.

Nevertheless, permitting or denying data changing requests for a first access means, or a second access means from devices on a network was well known in the art at the time of the invention. This is exemplified by Johnson in a similar field of endeavor that teaches a distributed data processing system comprising:

- a) Second access means for accessing data in response to requests from other devices on a network, (col. 6, lines 11-17); and
- b) Control means for deciding to permit or deny data changing requests from a first access means, and from the second access means, (col. 6, lines 24-35).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show second access means for accessing data in response to requests from other devices on a network, and a control means for deciding to permit or deny address book data changing requests from the second access means when the first guide display is displayed on the local user interface. This would have allowed for modification of the address data book by more than one access means in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

8. In considering claims 5 and 15, although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Changing the data of the address book from a second access means.

Nevertheless, Johnson teaches:

- a) The control means permitting changing the data from the second access means when the first access means does not have a write token, (col. 6, lines 24-35).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show the control means permitting changing the data from the second access means when the first guide display is not displayed on the local user interface. This would have allowed for modification of the address data book by more than one access means in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

9. In considering claims 6 and 16, although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Permitting changing requests from the first access means in the event that a second guide display is displayed on other devices.

Nevertheless, Johnson teaches:

- a) Permitting data changing requests from the first access means in the event that the data is being displayed on other devices, (col. 6, lines 36-39).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show permitting address data book changing requests from the first access means in the event that a second guide display is being displayed on a display of other devices. This would have made the address book data available for viewing and modifying by multiple devices in a distributed processing environment, in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

10. In considering claims 7 and 17, the AAPA discloses the address book storing addresses corresponding to multiple communication protocols for each destination. See page 1, lines 21-25, and page 2, lines 1-3.

11. In considering claims 8 and 18, the AAPA discloses a means for accessing data of the address book in response to WWW server function requests from the remote devices. See page 1, lines 16-20.

12. In considering claims 27 and 28 see Johnson, Fig. 5.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).




A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (571) 272-3940. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**ZARNI MAUNG**  
SUPERVISORY PATENT EXAMINER